

FORM PTO-1083  
Mail Stop APPEAL BRIEF – PATENTS  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450




Docket No.: 600.1300  
Date: September 28, 2006

In re application of: **Rudolf PETERMANN**  
Serial No.: 10/733,484  
Filed: December 11, 2003  
For: **DISPLAYING DATA IN A MACHINE WHICH PROCESSES PRINTING MATERIAL**

Sir:

Transmitted herewith is an **Appellant's Reply Brief Under 37 C.F.R. 41.41 (2 pgs)** in the above-identified application.


- ☒ Also transmitted herewith are:
- ☐ Petition for extension under 37 C.F.R. 1.136
  - ☒ Other: **Return Receipt Postcard**
- ☐ Check(s) in the amount of **\$0.00** is/are attached to cover:
- ☐ Filing fee for additional claims under 37 C.F.R. 1.16
  - ☐ Petition fee for extension under 37 C.F.R. 1.136
  - ☐ Other:
  - ☐ Other:
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
  - ☒ Any patent application processing fees under 37 C.F.R. 1.17.
  - ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

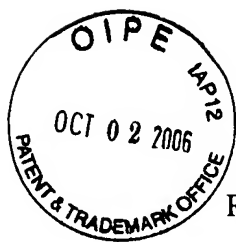
  
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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Mail Stop: APPEAL BRIEF - PATENTS Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on September 28, 2006.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
Jennifer L. O'Connell



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Re: Application of: Rudolf PETERMANN  
Serial No.: 10/733,484  
Filed: December 11, 2003  
Title: DISPLAYING DATA IN A MACHINE WHICH  
PROCESSES PRINTING MATERIAL  
Art Unit: 2854  
Examiner: Marissa L. Ferguson  
Attorney Docket No.: 600.1300

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P.O. Box 1450  
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September 28, 2006

**APPELLANT’S REPLY BRIEF UNDER 37 C.F.R. 41.41**

Sir:

Appellant submits this Reply Brief in response to the Examiner’s Answer dated July 28, 2006. Applicant submits this Reply Brief for consideration of the Board of Patent Appeals and Interferences (the “Board”) in support of his appeal of the Final Rejection dated December 2, 2005.

Examiner’s position with respect to claim 1 relies on the assertion that the actual printing by a printer or copier “superimpose[es], on physically exiting printing material printed by the printed material processing machine, data to be displayed.” However, if the material is already printed, how does a copier or printer superimpose data over the printed material. Examiner’s assertion that “any printing or copying device” is capable of superimposing image media is first wrong and second a willful misreading of the specification and the superimposing device

described therein, which is clearly separate from the claimed "printed material processing machine" which prints. These are two separate devices.

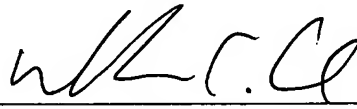
The arguments to the other argued claims are likewise unsupported.

It is respectfully submitted that the application is in condition for allowance. Favorable consideration of this appeal brief is respectfully requested.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: \_\_\_\_\_



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